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12 IYO, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 IYO, INC.

16 Plaintiff,

17 v.

18 IO PRODUCTS, INC., OPENAI, INC.,
19 OPENAI, LLC, SAM ALTMAN, and SIR
20 JONATHAN PAUL IVE,

21 Defendants.

Case No. 3:25-cv-4861

**DECLARATION OF ED CATMULL IN
SUPPORT OF PLAINTIFF IYO, INC.'S
MOTION FOR TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

Complaint Filed: June 9, 2025
Trial Date: None Set

1 I, Ed Catmull, do hereby declare as follows:

2 1. I serve on the Board of Directors of and am a shareholder in Plaintiff IYO, Inc.
3 (“Plaintiff” or “IYO”) in the above-captioned matter. I am over 18 years of age. I have personal
4 knowledge of the facts stated herein, and if called as a witness, I could and would testify
5 competently thereto. I make this declaration in support of Plaintiff’s Motion for a Temporary
6 Restraining Order and Preliminary Injunction.

7 2. After working for several years at Lucasfilm Ltd., the production company founded
8 by George Lucas, I co-founded Pixar Animation Studios, where I was the President from 1986 to
9 2019.

10 3. In 2006, when Disney acquired Pixar, I was separately named as President of Disney
11 Animation, which title I held until 2019.

12 4. Over the years, I have achieved recognition in the field of digital imagery. For
13 instance, in 2000, I was elected a member of the National Academy of Engineering for leadership
14 in the creation of digital imagery. In 2013, the Computer History Museum named me a Museum
15 Fellow for my “pioneering work in computer graphics, animation and filmmaking.” And in 2019 I
16 was awarded the Turing Award, an annual award given by the Association for Computing
17 Machinery (“ACM”) for contributions of lasting and major technical importance to computer
18 science.

19 5. I have also won four Academy Awards, in 1993, 1996, 2001, and 2008.

20 6. I have known Jason Rugolo, founder and CEO of IYO since 2019. As an investor in
21 IYO, I am aware that the company name is pronounced “I-O,” and I am familiar with the 2024 TED
22 talk that Jason delivered promoting IYO’s innovative products.

23 7. On or around May 21, 2025, I saw OpenAI, Inc.’s (“OpenAI”) announcement of its
24 formation of a new company, IO, and IO’s merger with OpenAI, along with its statement that it
25 will brand its products that directly compete with IYO’s products with the mark “IO.”

26 8. My immediate thought upon seeing the May 21 announcement was, “That’s terrible.
27 IO is pronounced the same as IYO.”
28

1 9. OpenAI's announcement of IO is very damaging to IYO due to the confusion it has
2 caused and will cause. And, because OpenAI is famous, especially compared to IYO, investors and
3 customers are going to think, erroneously, that IYO copied OpenAI and not the other way around.
4 This false perception significantly hurts a company trying to create new and innovative products.

5 10. All the time and effort IYO put into building its brand equity is now gone because
6 of the confusion caused by OpenAI using the same IO name.

7 11. I was also very surprised to hear OpenAI was using IO. While I was President of
8 Disney Animation, when we came up with names for new movies or characters, we always carefully
9 checked to make sure those names did not run afoul of other people's rights. We did not want to
10 put our productions at risk of an injunction. Any responsible, ethical company would make sure
11 that they were not using a name similar to that of another company before launching a new product
12 or venture in the same field.

13 12. OpenAI did not simply fail to check whether the IO name infringed anyone else's
14 rights. It actually knew about IYO when it chose the name IO. This is because IYO and OpenAI
15 had several meetings regarding a potential investment in IYO's business over the course of the last
16 several years (and well before OpenAI announced IO). OpenAI's position is effectively: "screw
17 the little guy because they don't matter." This is not only unethical, it is immoral.

18 13. Moreover, the false perception that IYO is trading off the goodwill of the IO name
19 will also make it more difficult for IYO to raise capital. Investors are going to be less inclined to
20 invest in a company that they perceive to have stolen a well-known company's name. Even if
21 investors do not jump to the erroneous conclusion that IYO stole IO's name, they will still know
22 that there are two companies with identical-sounding names, offering similar products, and will be
23 disinclined to invest in IYO given the inevitable market confusion.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed on June 9, 2025, in Tiburon, California.

4 DocuSigned by:

Ed Catmull

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6 Ed Catmull